

12/19/2019

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

IN RE:

TOSHA YVETTE MOORE

701 N CASS ST
JEFFERSON, TX 75657
xxx-xx-9306

Debtor

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Case No. 19-20140
Chapter 13

**ORDER DENYING CONFIRMATION OF CHAPTER 13 PLAN;
SETTING 30-DAY DISMISSAL DEADLINE FOR FILING
NEW CHAPTER 13 PLAN; AND SETTING FINAL
DISMISSAL DEADLINE PERTAINING TO PLAN CONFIRMATION**
(Initial Denial Order)

ON THIS DATE, the Court considered the confirmation of the Chapter 13 plan proposed by the Debtor, Tosha Moore, in the above-referenced case. For the reasons as stated in open Court or as set forth herein below, the confirmation of the Chapter 13 plan proposed by the Debtor should be denied. In light of the failure of the Debtor to confirm a Chapter 13 plan, and in order to insure the prompt administration of this case and to prevent any abuse of process, just cause exists for the entry of the following order:

IT IS THEREFORE ORDERED that confirmation of the Chapter 13 plan proposed by the Debtor is **DENIED** without prejudice to the rights of the Debtor to file a new Chapter 13 plan.

IT IS FURTHER ORDERED that the Debtor shall file a new Chapter 13 plan within thirty (30) days of the date of this Order.

IT IS FURTHER ORDERED that, in the event that the Debtor fails to file a new Chapter 13 plan within thirty (30) days of the date of this Order, absent a further order of the Court extending such deadline for cause shown, or in the event that the Debtor thereafter fail to confirm such new Chapter 13 plan upon consideration by this Court under its normal procedures, this Chapter 13 case shall be dismissed, pursuant to Section 349(a) of the Bankruptcy Code, without further notice or hearing and **with prejudice** to the rights of the Debtor to file a subsequent petition under any chapter of Title 11, United States

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Code, for a period of one hundred twenty (120) days from the entry of the order of dismissal and the Chapter 13 Trustee shall be authorized, following the payment (1) of any accrued adequate protection payments to secured creditors holding allowed claims herein as set forth in the Debtor's most recent filed Chapter 13 plan; (2) allowed administrative expenses; and (3) to remit any sums remaining in his possession to the Debtor.

Signed on 12/19/2019

A handwritten signature in cursive script, appearing to read "Bill Parker", written in black ink.

THE HONORABLE BILL PARKER
CHIEF UNITED STATES BANKRUPTCY JUDGE

REASONS FOR DENIAL:

- ☐ Behind on Plan Payments
- ☒ Amended Plan to be filed
- ☐ Pending Matters that must be resolved prior to Plan being confirmed
- ☐ Other:

Approved as to Form and Substance:

/s/ RANDY TIPTON

Attorney for the Debtor